

MONTEREY COUNTY



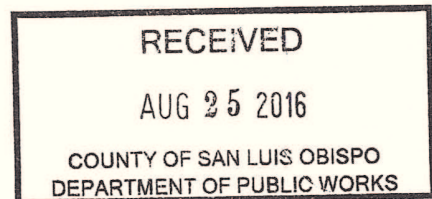
OFFICE OF THE COUNTY COUNSEL

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August 22, 2016



Wade Horton, Director
Public Works Department
County of San Luis Obispo
976 Osos Street, Room 206
San Luis Obispo, CA 93408

Re: Reconstruction of Structures Destroyed by Chimney Fire subject to 825 ft.
Floodage Easement

Dear Mr. Horton:

San Luis Obispo and Monterey Counties share the very unfortunate circumstance of fighting the on-going Chimney fire. My understanding is that fire has destroyed dozens of homes and structures in San Luis Obispo County, including in the areas around the Nacimiento Reservoir. Monterey County and the Monterey County Water Resources Agency (Agency) have seen similar losses to private properties, as well as to Agency-owned land.

I was asked to reach out to San Luis Obispo County as it responds to requests to re-build those structures damaged or destroyed by the fires. As I believe you know, the Agency has a floodage easement over a number of properties surrounding Nacimiento. This floodage easement precludes construction which, when completed, falls within the 825 foot floodage easement. As I also believe you know, that easement is protective of the persons occupying or using the structures as much as it is to prevent unauthorized matter from entering the reservoir and degrading its ability to serve as a source of water around Lake Nacimiento, the Nacimiento Water Project, and the Salinas Valley.

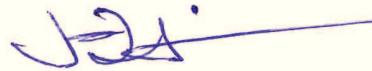
The Agency requested that I pass these concerns along to officials of San Luis Obispo County. The Agency is aware that, prior to the fire, there were some number of structures that were built within the floodage easement, some without permits. The Agency would appreciate your attention to the 825 foot floodage easement as it reviews applications to re-build damaged structures. If you have any questions or concerns about this request, please do not hesitate to call Agency General

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Manager David Chardavoyne, Deputy General Manager Brent Buche, or me. Mr. Chardavoyne and Mr. Buche can be reached at 831-755-4860.

Sincerely,

CHARLES J. McKEE, County Counsel

A handwritten signature in blue ink, appearing to read 'JJA', followed by a long horizontal line.

By: JESSE J. AVILA
Deputy County Counsel

JJA:sem

cc: Rita L. Neal, County Counsel, County of San Luis Obispo
Charles J. McKee, County Counsel, County of Monterey
David Chardavoyne, General Manager, Monterey County Water Resources Agency